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DOC #: _____
DATE FILED: <u>9-3-08</u>

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
GATEWAY OVERSEAS, INC.,

Plaintiff,

- against -

TEXCRAFT SOLUTIONS PVT LIMITED,
et. al.,

Defendants.
-----X

:
: 07 Civ. 8384 (VM)

: CONDITIONAL

: ORDER OF DISCONTINUANCE

VICTOR MARRERO, United States District Judge.

The Clerk of Court, having notified the Court, by report dated August 29, 2008, a copy of which is attached, that the parties have reached an agreement in principle to settle this action without further litigation, it is hereby

ORDERED, that this action be conditionally discontinued without prejudice and without costs; provided, however, that within thirty (30) days of the date of this Order, the parties may submit to the Court their own Stipulation of Dismissal for the Court to So Order. Otherwise, within such time counsel for plaintiff may apply by letter for restoration of the action to the active calendar of this Court in the event by the deadline indicated the settlement is not consummated. Upon such notification, the defendant shall continue to be subject to the Court's jurisdiction, the Court shall promptly reinstate the action to its active docket and the parties shall be directed to appear before the Court, without the necessity of additional process, on a date within thirty days of the

plaintiff's application for reinstatement, to schedule remaining pre-trial proceedings and/or dispositive motions, as appropriate. This Order shall be deemed a final discontinuance of the action with prejudice in the event plaintiff has not requested restoration of the case to the active calendar within such period of time.

Any further conferences with the Court schedule in this action are cancelled.

The Clerk of Court is directed to close this case.

SO ORDERED.

Dated: NEW YORK, NEW YORK
3 September 2008



VICTOR MARRERO
U.S.D.J.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GATEWAY OVERSEAS, INC. Plaintiff -against- TEXCRAFT SOLUTIONS PVT LIMITED et al. Defendants
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Report of the Clerk of Court
Regarding Court Ordered Mediation

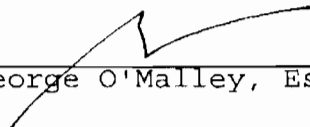
07 Civ. 8384 (VM)

To the Court:

Please take notice that:

- ☐ 1. This case was randomly selected not to be sent to mediation and the Court should proceed accordingly.
- ☒ 2. This case was selected to be sent to mediation. The report of the Mediator is attached. The Mediator has checked:
 - ☒ Paragraph 1, 2, 3, or 6 and the Court must make the appropriate order.
 - ☐ Paragraph 4 or 5 and unresolved issues should be treated as if they had not been sent to mediation.
 - ☐ Paragraph 7 which indicates that a party(ies) so noted has failed or refused to comply with the order of this Court which directed that mediation be held in this case.

Dated: August 29, 2008



George O'Malley, Esq.